

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK  
\*\*\*\*\*  
MOLLY PHELIX,

Plaintiff,

v.

CAROLYN W. COLVIN, ACTING  
COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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**CONSENT ORDER TO REMAND  
PURSUANT TO  
SENTENCE 4 OF 42 U.S.C. § 405(g)**

Hon. David N. Hurd, J.  
Hon. Christian F. Hummel, M.J.  
Civil Action No. 15-707

*DOCUMENT ELECTRONICALLY FILED*

This matter having been opened to the Court by RICHARD S. HARTUNIAN, United States Attorney for the Northern District of New York, and KAREN T. CALLAHAN, Special Assistant United States Attorney, attorneys for Defendant, for an Order remanding the within cause of action to the Defendant pursuant to sentence 4 of 42 U.S.C. § 405(g) so that further administrative action may be taken; including offering the Plaintiff the opportunity for a new hearing and a new decision will be issued; and Plaintiff having consented to the within order and the requested remand, and the Court having considered the matter,

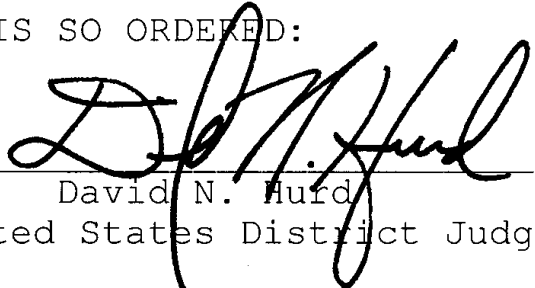
IT IS on this 23rd day of December 2015;

ORDERED that the final decision of the Commissioner be and hereby is REVERSED, and the matter is REMANDED to the Defendant for further administrative action, and it is further

ORDERED that the Clerk shall enter judgment remanding the matter to the Administration for further proceedings pursuant to sentence 4 of 42 U.S.C. § 405(g) for a denovo hearing and new decision, and it is further

ORDERED that the within matter, be and hereby is, DISMISSED in accord with the decision in Melkonyan v. Sullivan, 501 U.S. 89 (1991).

IT IS SO ORDERED:

  
\_\_\_\_\_  
David N. Hurd  
United States District Judge

Dated: December 23, 2015

Utica, NY

The undersigned hereby consent to the form and entry of the within order.

RICHARD S. HARTUNIAN  
United States Attorney

By: /s/karen t. callahan  
KAREN T. CALLAHAN  
Special Assistant U.S. Attorney  
Bar No.513794

By: S/ Steven Dolson  
STEVEN R. DOLSON, ESQ.  
Attorney for Plaintiff